IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

FRIDAY, THE 15TH DECEMBER 2006 / 24TH AGRAHAYANA 1928

Bail Appl..No. 7465 of 2006()

CMP.2467/2006 of J.M.F.C.-II, HARIPAD
CRIME NO.153/06 OF KARTHIKAPPALLY EXCISE RANGE.

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: PETITIONER/ACCUSED

RAGHAVAN, AGED 51 YEARS,
S/O.CHATHAN, ACHANVATHUKAL PUTHUCHIRAYIL
KANNAMANGALAM VILLAGE, MAVELIKARA TALUK.

BY ADV. SRI.K.JAISHANKAR

RESPONDENTS: COMPLAINANTS

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1. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,
ERNAKULAM.

2. EXCISE INSPECTOR,
KARTHIKAPALLY EXCISE RANGE.

BY PUBLIC PROSECUTOR SHRI P.N.SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 15/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

V. RAMKUMAR, J.

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BAIL APPLICATION NO.7465 OF 2006

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DATED THIS THE 15TH DAY OF DECEMBER, 2006

O R D E R

In this Petition filed under Sec.439 Cr.P.C. the petitioner who is the accused in Crime No.153/06 of Karthikappally Excise Range for offences punishable under Sections 8(1) and 8(2) of the Abkari Act for having been found in possession of 1.5 liters of arrack on 27.11.2006 seeks his enlargement on bail. The petitioner was arrested on 28.11.2006.

2. I heard the learned counsel for the petitioner and the learned Public Prosecutor.

3. Having regard to the nature of the offences, the duration of judicial custody of the petitioner and the other circumstances of the case etc., I am inclined to grant bail to the petitioner with effect from 22.12.2006. Accordingly, the petitioner is directed to be released on bail with effect from 22.12.2006 on his executing a bond for Rs.20,000/- (Rupees twenty thousand only) with two solvent sureties each for the like amount to the satisfaction of the J.F.C.M.,-II Haripad and subject to the following conditions:

1. Petitioner shall report before the Investigating Officer between 9 a.m. and 11 a.m. on all Wednesdays.

2. The petitioner shall not influence or intimidate the prosecution witnesses nor shall he attempt to tamper with the evidence for the prosecution.

3. The petitioner shall not commit any offence while on bail.

If the petitioner commits breach of any of the above conditions, the bail granted to him shall be liable to be cancelled.

This application is allowed as above.

V.RAMKUMAR, JUDGE.

dsn